

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DEMETRIUS BROWN,)	
Plaintiff,)	
)	
)	
v.)	C.A. No. 04-379 Erie
)	
UNITED STATES JUSTICE DEPT.)	
Defendant.)	

**(PROPOSED) ORDER FOR MANDATE/ENFORCING ORDER
DIRECTING INMATE ACCOUNT OFFICER TO PAY INITIAL
PARTIAL FILING FEE OF LAWSUIT AND THE REMAINING
PORTION OF THE FEE IN INSTALLMENTS**

Plaintiff has submitted for filing a Civil Rights Complaint which he seeks leave to prosecute in forma pauperis. The filing fee is \$150.00. Plaintiff does not have sufficient funds in his prison account to pay the entire filing fee. Therefore, in accordance with 28 U.S.C. §1915(b)(1) the Court on March 15, 2005 ordered that leave to proceed in forma pauperis be granted.

The Plaintiff in addition was notified that within 20 days of the notice it would be necessary to sign the authorization and send to the Clerk for 1) authorizing the inmate account officer to withdraw from his account the initial partial filing fee of \$19.36 and 2) authorizing the inmate account officer to make the remaining installment payments. The Plaintiff by complying has on March 20, 2005 signed and returned to the Clerk AUTHORIZATION. The following order is entered:

AND NOW, this _____ day of July, 2005

IT IS HEREBY ORDERED that the inmate account officer be directed to pay Plaintiff's initial partial filing fee of lawsuit and the remaining portion of the fee in installments. The initial partial filing fee is \$19.36. The remaining portion of the fee in monthly payments will be twenty percent of the proceeding month's income credited to Plaintiff's account and also to forward payments from the account, each time the amount in the account exceeds \$10.00, to Clerk, United States District Court, until the entire filing fee of \$150.00 for Civil Action No. 04-379 Erie has been paid.

IT IS FURTHER ORDERED that this is the Mandate/Enforcement of the Court.

IT IS FURTHER ORDERED that Plaintiff has complied with the Court's Order on June 8, 2005 for proposal of the foregoing order.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

Susan Paradise Baxter
United States Magistrate Judge

cc: Demetrius Brown, 21534-039
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Clerk of Courts - Finance Office
Warden - FCI RayBrook
Inmate Accounting Office